



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/649,132

08/26/2003

Carlos Correa

1.236- .03

4788

7590

12/14/2004

MALLOY & MALLOY, P.A.
2800 S.W. Third Avenue
Historic Coral Way
Miami, FL 33129

EXAMINER

ALAVI, ALI

ART UNIT

PAPER NUMBER

2875

DATE MAILED: 12/14/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/649,132

Applicant(s)

CORREA, CARLOS

Examiner

Ali Alavi

Art Unit

2875

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-48 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-5, 7-13, 15-17, 19-37, 39, 40, 42-46 and 48 is/are rejected.
- 7) ☐ Claim(s) 6, 14, 18, 38, 41 and 47 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-5, 7-12, 16-17, 19-37, 39, 40, 42-46, and 48 are rejected under 35 U.S.C. 102(b) as being anticipated by Snoke et al (US Pat. No 5,797,670).

Regarding claims 1, and 39, Snoke discloses an illumination assembly usable with a predetermined work area thereof, comprising a light source element (43a, 1) a power supply (battery, col. 5, line 46) electrically connected to said light for illuminating said illumination assembly comprising at least one light generating source (lighting means 40, col. 5, line 45), a mounting assembly (31) connected in supporting relation to at least said light source, and said mounting assembly structured to adjustably secure said light source on the device in a position which facilitates illumination of the predetermined work area (fig. 1, abstract).

Regarding claim 2, Snoke further discloses that said mounting assembly is structured to adjustably secure said light source in any of a plurality of positions on the device so as to selectively vary the illumination of the predetermined work area.

Regarding claim 3, Snoke further discloses that An illumination assembly as recited in claim 1 wherein said mounting assembly is structured for movable and removable disposition of said light source on the device (fig. 3).

Regarding claim 4, Snoke further discloses that An illumination assembly as recited in claim wherein said one light generating element comprises an LED (col. 6, lines 7-10).

Regarding claim 5, Snoke further discloses that 5. An illumination assembly as recited in claim 4 wherein said light source comprises a plurality of LED's (col. 6, lines 7-10).

Regarding claim 7, Snoke further discloses that LED is movably interconnected to the mounting assembly and selectively positionable along at least relatively traverse axes (arm 42 is flexible and therefore can be adjusted in any desired direction).

Regarding claim 8, Snoke further discloses a connector member (42, 40) interconnecting the LED in outwardly spaced relation to the mounting assembly (see fig. 1).

Regarding claim 9, Snoke further discloses that connector member comprises an elongated configuration and is at least partially formed from a pliable material (arm 42, col. 5, line 31).

Regarding claim 10, Snoke further discloses that connector member comprises an electrical conductor between said LED and said power supply (col. 5, line 46).

Regarding claim 11, Snoke further discloses that power supply is supported on said mounting assembly substantially adjacent to said light generating member (40, fig. 1).

Regarding claim 12, Snoke further discloses a support platform secured to said mounting assembly in supporting relation to both said light source and power supply (31, fig.2).

Regarding claim 13, Snoke further discloses an interface at least partially formed of conductive material and structured to detachably and electrically connect said power supply to said light source (col. 5, lines 45-46).

Regarding claim 15, Snoke discloses that the light source comprises a plurality of light generating elements, each of which are respectively interconnected to said power supply by said interface (inherent).

Regarding claim 16, Snoke further discloses that the light source further comprises an extension assembly extending outwardly from said mounting assembly and including an elongated neck and a mount secured to one end of said neck (42, fig.1).

Regarding claim 17, Snoke further discloses the light source comprises at least one light element disposed on said neck substantially adjacent an outer portion thereof (fig. 1).

Regarding claim 19, Snoke further discloses the neck comprises a substantially angular configuration along at least a portion of its length (fig. 1).

Regarding claim 20, Snoke further discloses said mounting assembly comprises a sleeve having a peripheral wall terminating in opposite, open ends and disposed in surrounding relation to a hollow interior of said sleeve (31, fig. 3).

Regarding claim 21, Snoke further discloses said sleeve is formed of a flexible material and is disposable in surrounding relation to a substantially correspondingly dimensioned portion of the device (fig. 3).

Regarding claim 22, Snoke further discloses said sleeve is formed of an at least partially resilient material (fig.3, col. 6, line 43).

Regarding claim 23, Snoke further discloses wherein said sleeve is formed of an at least partially rigid material (col. 6, lines 40-46).

Regarding claim 24, Snoke further discloses said peripheral wall comprises a closed, continuous configuration between said opposite open ends thereof (fig. 3).

Regarding claim 25, Snoke further discloses said peripheral wall further comprises an access opening formed along a length thereof and a closure assembly disposed along a length of said access opening (51, fig. 3).

Regarding claim 26, Snoke further discloses an access opening and said closure assembly are cooperatively disposed and structured to orient said peripheral wall between an open position and a closed position (best shown in fig. 3).

Regarding claim 27, Snoke further discloses said open position is at least partially defined by substantially transverse placement of the device through said access opening and into said hollow interior (fig. 3).

Regarding claim 28, Snoke further discloses said light source is disposed on an exterior of said sleeve and movable therewith relative to the device (fig. 1).

Regarding claim 29, Snoke further discloses wherein said light source comprises a plurality of LED'S at least one of which defines said one light generating element (40, fig. 1, col. 6, lines 7-10).

Regarding claim 30, Snoke further discloses said mounting assembly comprises a clamp (31) assembly including a platform and a plurality of flanges extending outwardly from said platform and at least partially movable relative thereto, said flanges disposable in gripping, at least partially enclosing relation to the device (fig. 3).

Regarding claim 31, Snoke further discloses An illumination assembly as recited in claim 30 wherein said clamp assembly further comprises a biasing structure (50, fig. 3) disposed in biasing relation to said flanges and structured to normally force said flanges into said gripping engagement with the device (fig. 3).

Regarding claim 32, Snoke further discloses An illumination assembly as recited in claim wherein said biasing structure comprises a spring member connected in biasing relation to said flanges.

Regarding claim 33, Snoke further discloses An illumination assembly as recited in claim 31 wherein said biasing structure is inherently formed in said clamp assembly and is at least partially defined by a configuration of said platform and said flanges and a material from which said platform and said flanges are formed (cols. 6-7).

Regarding claim 34, Snoke further discloses said platform comprises a housing, wherein at least said power supply is mounted on said housing (41, fig. 1).

Regarding claim 35, Snoke further discloses that both said light source and said power supply are mounted on said housing (41, fig. 1).

Regarding claim 36, Snoke further discloses said housing comprises an at least partially hollow interior, said one light generating element and said power supply mounted adjacent opposite ends of said housing (fig. 1).

Regarding claim 37, Snoke further discloses said light source is mounted on said platform in spaced relation to said housing (43a, fig. 1).

Regarding claim 40, Snoke further discloses said one LED is movably connected to said mounting assembly and disposable in a plurality of different illuminating orientations relative to the work area (fig. 1).

Regarding claim 42, Snoke further discloses said mounting assembly comprises a sleeve having a peripheral wall terminating in opposite open ends and disposed in surrounding relation to a hollow interior of said sleeve (31, fig. 3).

Regarding claim 43, Snoke further discloses the sleeve is formed of a flexible, at least partially resilient material and is disposable in surrounding relation to substantially correspondingly dimensioned portions of the device (fig. 3).

Regarding claim 44, Snoke further discloses that the sleeve is formed of at least partially rigid material (cols 6-7).

Regarding claim 45, Snoke further discloses that the mounting assembly comprises a clamp assembly including a platform and a plurality of flanges extending outwardly partially rigid material (fig. 3).

Regarding claim 46, Snoke further discloses An illumination assembly as recited in claim 39 wherein said light source further comprises an extension assembly including a neck extending outwardly from said mounting assembly and including at least one element disposed on said neck adjacent an outer portion thereof (fig. 5).

Regarding claim 48, Snoke further discloses An illumination assembly as recited in claim 39 wherein said LED is both rotationally and pivotally connected to said mounting assembly (figs. 1-9).

Claims 1-4, and 39 are rejected under 35 U.S.C. 102(e) as being anticipated by Navid et al (US Pat. No 2002/0105797).

Regarding claims 1, and 39, Navid et al disclose an illumination assembly usable with a predetermined work area thereof, comprising a light source element (LED 134)) a power supply (battery, paragraph 032) electrically connected to said light source for illuminating said illumination assembly comprising at least one light generating (LED 134) source, a mounting assembly (862) connected in supporting relation to at least said light source, and said mounting assembly structured to adjustably secure said light source on the device in a position which facilitates illumination of the predetermined work area (fig. 1, abstract).

Allowable Subject Matter

Claims 6, 14, 18, 38, 41, and 47 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Claims 6 and 41 are

objected to because in part recites "...least one of said plurality of LED'S is adjustably positionable relative to a remainder of said plurality of LED's." Claim 14 is objected to because in part recites "...said interface comprises a plug-in connector assembly." Claim 18 is objected to because in part recites "... wherein the light source comprises a plurality of light generating elements extending along a length of said neck in outwardly spaced relation to said mounting assembly." Claim 38 is objected to because in part recites "...wherein said light source comprises a plurality of LED'S mounted on said platform, at least one of said LED'S being selectively adjustable relative to said clamp assembly." Claim 47 is objected to because in part recites "...a plurality of light generating elements extending along a length of said neck in outwardly spaced relation to said mounting assembly."

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Gillette (US Pat. No. 6,729,743) discloses a flashlight bracket device for a drill. Horiyama (US Pat. No. 6,502,949) discloses an adapter for use with an electric power tool.

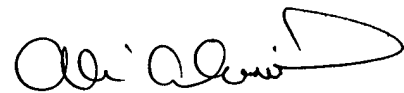
Any inquiry concerning this communication or earlier communication from the examiner should be directed to Ali Alavi whose telephone number is (571) 272-2365. The examiner can normally be reached between 7:00 A.M. to 5:30 P.M. Tuesday to Friday. If attempts to reach the examiner by phone are unsuccessful, the examiner's supervisor, Sandy O'Shea can be reached at (571) 272-2378 or you may fax your inquiry to the **Central Fax** at (703) 872-9306.

Any inquiry concerning this communication or earlier communication from the examiner should be directed to Ali Alavi whose telephone number is (571) 272-2365.

The examiner can normally be reached between 7:00 A.M. to 5:30 P.M. Tuesday to Friday. If attempts to reach the examiner by phone are unsuccessful, the examiner's supervisor, Sandy O'Shea can be reached at (571) 272-2378 or you may fax your inquiry to the **Central Fax** at (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application should be directed to the receptionist whose telephone number is (703) 308-2956.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Ali Alavi
Examiner
AU 2875